



EUROPEAN COMMISSION  
DG Competition

***Case M.9215 - SUMITOMO  
CORPORATION / TOYOTA  
MOTOR CORPORATION /  
KINTO CORPORATION***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004  
MERGER PROCEDURE**

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Article 6(1)(b) NON-OPPOSITION  
Date: 19/12/2018

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EUROPEAN COMMISSION

Brussels, 19.12.2018  
C(2018) 9175 final

PUBLIC VERSION

To the notifying parties:

**Subject: Case M.9215 – SUMITOMO CORPORATION / TOYOTA MOTOR CORPORATION / KINTO CORPORATION  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European Economic Area<sup>2</sup>**

Dear Sir or Madam,

1. On 27 November 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Sumitomo Corporation (Japan) and Toyota Motor Corporation (Japan) acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Kinto Corporation (Japan), a newly created company constituting a joint venture, by way of purchase of shares and contribution of assets.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for Sumitomo Corporation: a trading and investment company active in automobile leasing, trading of metal products, transportation, media, mineral resources, energy, chemicals and electronics,
  - for Toyota Motor Corporation: a company active in manufacturing, sale, leasing and repair of motor vehicles, ships, aircraft and other transportation equipment, as well as in the sale of material-handling equipment,
  - for the JV: supply of mobility services, including leasing services, in Japan.

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<sup>1</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

<sup>2</sup> OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

<sup>3</sup> Publication in the Official Journal of the European Union No C 437, 04.12.2018, p. 38.

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.<sup>4</sup>
4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

*For the Commission*

*(Signed)*  
*Johannes LAITENBERGER*  
*Director-General*

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<sup>4</sup> OJ C 366, 14.12.2013, p. 5.